



## Legislation Text

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**File #:** 2001-0586, **Version:** 1

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Clerk 11/29/2001

AN ORDINANCE relating to zoning, to permit domestic violence shelters as a permitted use in the R-1 through R-8 zones and preserving the need for a high degree of confidentiality for such facilities as to location; and amending Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030.

### STATEMENT OF FACTS

Domestic violence is an unfortunate reality for many members of society and shelters are needed to provide an escape from domestic violence. Due to the unstable nature of those persons prone to committing domestic violence, such shelters need a high degree of confidentiality as to location. This confidentiality protects shelter residents, staff, neighbors and the community at large. Requiring shelters to obtain a conditional use permit through a widely publicized public review process undermines confidentiality and increases the risk of contact with those who would commit domestic violence.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

**Residential land uses.** A. Residential land uses.

B. Development conditions.

1. Except bed and breakfast guesthouses.
2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems, and driveways. Additional site disturbance for raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be approved provided that a farm management (conservation) plan is prepared pursuant to the requirements of K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, which shall be reviewed and approved by the King County department of natural resources prior to building permit issuance; and

c. A fire protection plan for the subject property is required and shall be reviewed and approved by the Washington state department of natural resources with the concurrence of the fire marshal for each residential use. This plan shall be developed in such a manner as to protect the adjoining forestry uses from a fire that might originate from the residential use. This plan shall provide for setbacks from existing forestry uses and maintenance of approved fire trails or other effective fire line buffers on perimeters with forest land.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

4. a. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to the provisions of K.C.C. 21A.32.

b. In the R-1 zone, apartment units are permitted, provided that:

(1) the proposal shall be subject to a conditional use permit when exceeding base density,

(2) at least fifty percent of the site is constrained by unbuildable sensitive areas. For purposes of this section, unbuildable sensitive areas shall include wetlands, streams and slopes forty percent or steeper and

associated buffers; and

(3) the density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797; or

c. In the R-4 through R-8 zones, apartment units are permitted, provided that the proposal shall be subject to a conditional use permit when exceeding base density, and provided that the density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

5. Apartment units are permitted outright as follows:

a. In the R-1 zone when at least fifty percent of the site is constrained by unbuildable sensitive areas which for purposes of this section, includes wetlands, streams and slopes forty percent or steeper and associated buffers, and provided that the density does not exceed a density of eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797; or

b. In the R-4 through R-8 zones, provided that the density does not exceed eighteen units per acre of net buildable area as defined in K.C.C. 21A.06.797.

6. Only as an accessory to a school, college, university or church.

7. a. Accessory dwelling units:

(1) only one accessory dwelling per primary single detached dwelling unit;

(2) only in the same building as the primary dwelling unit on an urban lot that is less than ten thousand square feet in area, on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling;

(3) the primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(4)(a) one of the dwelling units shall not exceed a floor area of one thousand square feet except when one of the dwelling units is wholly contained within a basement or attic, and

(b) when the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(5) one additional off-street parking space shall be provided;

(6) the accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(7) an applicant seeking to build an accessory dwelling unit shall file a notice approved by the department with the records and elections division which identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the Rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone.

(8) accessory dwelling units and accessory living quarters are not allowed in the F zone.

(9) in the A zone, one accessory dwelling unit is allowed on any lot under twenty acres in size, and two accessory dwelling units are allowed on lots that are twenty acres or more, provided that the accessory dwelling units are occupied only by farm workers and the units are constructed in conformance with the State Building Code.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, provided there is:

(1) no aircraft sales, service, repair, charter or rental; and

(2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as an accessory to the permanent residence of the operator, and:

- a. Serving meals to paying guests shall be limited to breakfast; and
  - b. There shall be no more than five guests per night.
10. Only as an accessory to the permanent residence of the operator, and:
- a. Serving meals to paying guests shall be limited to breakfast; and
  - b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the Uniform Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.
11. Only if part of a mixed use development, and subject to the conditions of K.C.C. 21A.08.030B.10.
12. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.
13. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in K.C.C. 21A.08.030B.7.
14. No new mobile home parks are allowed in a rural zone.
15. Limited to domestic violence shelter facilities.

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